

**14956. Adulteration and misbranding of cottonseed meal. U. S. v. 120 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 21513. I. S. No. 8703-x. S. No. E-5925.)**

On January 3, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 120 sacks of cottonseed meal, remaining in the original unbroken packages at Northfield, Mass., alleging that the article had been shipped by the Montezuma Cotton Oil Co., Montezuma, Ga., and transported from the State of Georgia into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in protein and containing excessive fiber had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the label bore a statement "Guaranteed Analysis Protein 36.00% Fiber 14.00%," regarding the said article, which was false and misleading and deceived and misled the purchaser, and in that the article was offered for sale under the distinctive name of another article.

On March 23, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**14957. Adulteration of tomato catsup. U. S. v. 1,000 Cases of Tomato Catsup. Decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 21531. I. S. No. 14434-x. S. No. C-5300.)**

On January 13, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,000 cases of tomato catsup, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Alexandria Packing Corp., from Alexandria, Ind., November 12, 1926, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Bottle) "Red Crown Brand Tomato Catsup Packed By Alexandria Packing Corp. Alexandria, Ind. Not Artificially Colored."

It was alleged in substance in the libel that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 19, 1927, the Alexandria Packing Co., Alexandria, Ind., having appeared as claimant for the property and having admitted the material allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal and that the cases, containers, and fittings be delivered to the said claimant.

W. M. JARDINE, *Secretary of Agriculture.*

**14958. Adulteration and alleged misbranding of oranges. U. S. v. 300 Boxes of Oranges. Default decree of condemnation and confiscation entered. Product ordered sorted and good portion sold. (F. & D. No. 21693. I. S. No. 2370-x. S. No. C-5323.)**

On February 7, 1927, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 boxes of oranges, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by E. W. Wiggins, Limona, Fla., on or about January 28, 1927, and transported from the State of Florida into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The boxes containing the article were labeled in part: "S. E. Mays Grower and Shipper Plant City, Florida." The wrappers were labeled in part: "Selected \* \* \* Florida Oranges" or "Selected Citrus Florida Fruit."

Examination of the article by the Bureau of Chemistry of this department showed that it was composed of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of decomposed oranges.

Misbranding was alleged for the reason that the statements on the individual wrappers, "Selected Citrus Florida Fruit" or "Selected Florida Oranges," as the case might be, were false and misleading when applied to partially or totally decomposed oranges.

On March 18, 1927, no claimant having appeared for the property, judgment was entered, finding the product adulterated and subject to condemnation and confiscation, and it was ordered by the court that a representative of this department be permitted to resort and repack the said product, and that the portion fit for human consumption be sold by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**14959. Misbranding of cottonseed meal and cake. U. S. v. 400 Sacks of Cottonseed Meal and 480 Sacks of Cottonseed Cake. Consent decrees of condemnation and forfeiture. Products released under bond.** (F. & D. Nos. 21468, 21469. I. S. Nos. 15148-x, 15149-x. S. Nos. W-1897, W-1898.)

On December 17, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed meal and 480 sacks of cottonseed cake, remaining in the original unbroken packages in part at Colorado Springs, Colo., and in part at Padroni, Colo., consigned by the Sweetwater Cotton Oil Co., Sweetwater, Tex., alleging that the articles had been shipped from Sweetwater, Tex., on or about December 4, 1926, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The articles were labeled in part: "43% Protein Cottonseed Cake Prime Quality Manufactured By Sweetwater Cotton Oil Company. Sweetwater, Texas Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent."

It was alleged in the libel that the articles were misbranded, in that the statement "Crude Protein not less than 43.00 Per Cent," borne on the label, was false and misleading and deceived and misled the purchaser, because the said articles did not contain 43 per cent of protein.

On December 31, 1926, the Sweetwater Cotton Oil Co., Sweetwater, Tex., and the Seldomridge Grain Co., Colorado Springs, Colo., having appeared as claimants for respective portions of the products and having admitted the allegations of the libel and consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds totaling \$1,000, conditioned that they not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**14960. Misbranding of horse and mule feed. U. S. v. 84 Sacks of Horse and Mule Feed. Decree of forfeiture entered. Product released under bond.** (F. & D. No. 21369. I. S. No. 6548-x. S. No. E-5895.)

On November 10, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 84 sacks of horse and mule feed, remaining in the original unbroken packages at Augusta, Ga., alleging that the article had been shipped by the Atlantic Milling Co., on or about September 11, 1926, and that it had been transported in interstate commerce from the State of Georgia into the State of North Carolina, and had been reshipped on November 6, 1926, to the said Atlantic Milling Co., from Winston-Salem, N. C., to Augusta, Ga., and charging misbranding in violation of the food and drugs act. The article was labeled in part: "AMCO Horse and Mule Feed Manufactured by Atlantic Milling Company, Augusta, Ga. Guaranteed Analysis. Protein 10%."

It was alleged in substance in the libel that the article was misbranded, in that the statement "Protein 10%," borne on the label, was false and misleading and deceived and misled the purchaser, since it contained less than 10 per cent of protein.

On November 29, 1926, the Atlantic Milling Co., Augusta, Ga., having appeared as claimant and having admitted the allegations of the libel, judgment of forfeiture was entered, and it was ordered by the court that the product be